

BOARD OF SUPERVISORS

MINUTES

February 11, 2004

Supervisors in Attendance:

Mr. Kelly E. Miller, Chairman
Mr. Edward B. Barber, Vice Chrm.
Mrs. Renny B. Humphrey
Mr. R. M. "Dickie" King, Jr.
Mr. Arthur S. Warren

Mr. Lane B. Ramsey
County Administrator

Staff in Attendance:

Colonel Carl R. Baker,
Police Department
Mr. George Braunstein,
Exec. Dir., Community
Services Board
Mr. Craig Bryant, Dir.,
Utilities
Ms. Marilyn Cole, Asst.
County Administrator
Mr. Richard Cordle,
Treasurer
Ms. Rebecca Dickson, Dir.,
Budget and Management
Mr. Robert Eanes, Asst. to
the County Administrator
Ms. Lisa Elko, CMC
Clerk
Chief Stephen A. Elswick,
Fire Department
Mr. Dennis Farmer, Exec.
Dir., Historical Society
Mr. Michael Golden, Dir.,
Parks and Recreation
Mr. Bradford S. Hammer,
Deputy Co. Admin.,
Human Services
Mr. John W. Harmon,
Right-of-Way Manager
Mr. Russell Harris, Mgr.
of Community Development
Services
Mr. Joseph Horbal,
Commissioner of Revenue
Mr. H. Edward James,
Dir., Purchasing
Mr. Donald Kappel, Dir.,
Public Affairs
Mr. Michael Likins,
Coop. Extension Director
Ms. Mary Lou Lyle, Dir.,
Accounting
Mr. Richard M. McElfish,
Dir., Env. Engineering
Mr. Steven L. Micas,
County Attorney
Mr. Francis Pitaro, Dir.,
General Services
Mr. William Poole, Asst.
Dir., Planning
Mr. James J. L. Stegmaier,
Deputy Co. Admin.,
Management Services

Mr. M. D. Stith, Jr.,
Deputy Co. Admin.,
Community Development
Mr. Thomas Taylor, Dir.,
Block Grant Office
Sheriff Clarence Williams,
Sheriff's Department

Mr. Miller called the regularly scheduled meeting to order at 3:39 p.m.

1. APPROVAL OF MINUTES FOR JANUARY 28, 2004

On motion of Mrs. Humphrey, seconded by Mr. Warren, the Board approved the minutes of January 28, 2004, as submitted.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

2. COUNTY ADMINISTRATOR'S COMMENTS

2.A. HISTORICAL SOCIETY PRESENTATION

Colonel Horace Mann, President of the Chesterfield Historical Society, presented each Board member with copies of "Chesterfield: an Old Virginia County, 1607-1954" and "Chesterfield: an Old Virginia County, 1955-1989." He expressed appreciation for the funding provided by the Board to reprint the first volume.

Mrs. Humphrey requested information relative to the cost for the Historical Society to place a copy of each of these books as well as "Chesterfield County: Early Architecture and Historic Sites" in the county's high school libraries.

2.B. CERTIFICATION IN HOMELAND SECURITY

Mr. Ramsey stated Mr. Eanes recently attained Certification in Homeland Security - Level III, the highest level available.

Mr. Miller presented the framed certificate to Mr. Eanes, accompanied by Mr. Ramsey, Chief Elswick, Colonel Baker, Sheriff Williams, and Special Agent Steve Woodard, United States Secret Service, and commended him on this tremendous accomplishment.

Mr. Eanes expressed appreciation to Mr. Ramsey, Colonel Baker, Chief Elswick, Sheriff Williams, and Special Agent Woodard for providing him with opportunities to be involved in projects used in his certification process.

3. BOARD COMMITTEE REPORTS

Mrs. Humphrey requested that the County Administrator, the Planning Commission and Planning staff conclude with the five pending zoning applications in the Upper Swift Creek Plan.

Mrs. Humphrey then made a motion, seconded by Mr. Warren, for the Board to defer all new zoning applications that include residential uses filed after February 11, 2004 in the Upper Swift Creek Plan for one year to allow time for the Board to review recommendations or changes to the Plan.

Mr. Miller thanked Mrs. Humphrey for making the motion and stated he believes it is an appropriate action.

Mr. King thanked Mrs. Humphrey for being proactive and for not including applications for commercial uses in the deferral.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

4. REQUESTS TO POSTPONE ACTION, ADDITIONS, OR CHANGES IN THE ORDER OF PRESENTATION

There were no requests to postpone action, additions, or changes in the order of presentation at this time.

5. RESOLUTIONS AND SPECIAL RECOGNITIONS

5.A. RECOGNIZING MRS. EVELYN T. PRICE, TREASURER'S OFFICE, UPON HER RETIREMENT

Mr. Cordle introduced Mrs. Evelyn Price who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, Mrs. Evelyn T. Price will retire on March 1, 2004 after providing over thirty-six years of dedicated and faithful service to Chesterfield County; and

WHEREAS, Mrs. Price began her tenure with the Chesterfield County Treasurer's Office on July 1, 1967 as a full-time clerk typist; and

WHEREAS, Mrs. Price has been promoted many times over the years from the positions of Account Clerk, Senior Account Clerk, Senior Cashier, and Principal Cashier Supervisor to her current position of Accountant which she has held since August 1, 1988; and

WHEREAS, Mrs. Price has been instrumental in accurately processing County and School Board Garnishment activities, ensuring legal compliance without exception; and

WHEREAS, Mrs. Price has been responsible for overseeing the custody of the Treasurer's Office cash assets, ensuring the absolute safekeeping and reporting of such funds; and

WHEREAS, Mrs. Price has received numerous commendations from citizens and county staff members for the assistance she has provided them throughout the years of her service; and

WHEREAS, Mrs. Price was recognized for her uncompromising performance within the Treasurer's Office by

being nominated Employee of the Year in 1985 and again in 1992; and

WHEREAS, Mrs. Price is the current holder of the "Joseph E. Pittman, Jr. Award", established in 1996 and presented to Mrs. Price in 2001 as the employee with the longest continuous full-time service to the county; and

WHEREAS, Mrs. Price has faithfully and effectively discharged her duties in each and every capacity with proficiency, passion and uncompromising commitment to world-class customer service; and

WHEREAS, Mrs. Price will be tremendously missed for the quality and caliber of her commitment and performance in the Treasurer's Office and to our citizens.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 11th day of February 2004, publicly recognizes Mrs. Evelyn T. Price and extends its appreciation for her thirty-six years of dedicated service to the county, congratulations upon her retirement, and best wishes for a long and happy retirement.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mr. Miller presented the executed resolution to Mrs. Price, accompanied by her son and Mr. Cordle, and expressed appreciation for her dedicated service.

Mrs. Humphrey expressed appreciation to Mrs. Price for teaching her the importance of the Treasurer's Office and the vital part it plays in the public process when she worked in the Treasurer's Office as a student.

Mr. Ramsey presented a Jefferson Cup to Mrs. Price and offered best wishes on her retirement.

5.B. PRESENTING THE JOSEPH E. PITTMAN, JR. AWARD FOR CONTINUOUS COUNTY SERVICE

Mr. Miller, accompanied by Mr. Ramsey and Mrs. Evelyn Price, presented the Joseph E. Pittman, Jr. Award for Continuous County Service, formerly held by Mrs. Price, to Mr. William Cable, accompanied by Mr. McElfish. (It is noted Mr. Cable has been an employee of the Environmental Engineering Department since 1967.)

Mr. Miller congratulated Mr. Cable upon receiving the award and expressed appreciation for his dedicated service to the county.

6. WORK SESSIONS

6.A. FINANCIAL POLICIES, PROJECTED FY2005/2006 REVENUES, AND CHESTERFIELD COMMUNITY SERVICES BOARD FY2005/FY2006 BUDGET PRESENTATIONS

Ms. Dickson stated staff is recommending that the Board adopt updated financial policies as part of the budget adoption

process, indicating that all of the policies being proposed are currently implemented by practice. She then introduced Mr. Ben Asher, representing the county's financial advisor, Public Resources Advisory Group.

Mr. Asher stressed the importance of following and revising financial policies for the county to continue receiving its AAA bond rating, which is the primary determining factor in the cost of borrowing for general obligation bonds.

Discussion ensued relative to the county's bond rating being impacted if the state's AAA bond rating were to falter.

Mr. Asher stated he believes the issues the state is facing are quite distinct from any issues in the county, and he would see no impact on the county's bond rating as a result of issues facing the Commonwealth of Virginia.

Ms. Dickson stated the debt per capita target and ceiling figures are proposed to be revised in the county's Debt Ratio Policies, and staff is suggesting that these figures be adjusted at the beginning of each biennium. She then reviewed population data from 1970 through 2004 and FY2005 projected revenues vs. FY2004 adopted revenues. She stated revenues were projected assuming a tax rate of \$1.07, indicating that the overall increase in the assessment base is 9.7 percent, 3.4 percent of which is from new construction, and the rate of growth in residential assessed value exceeded that of commercial from 2003 to 2004. She reviewed real estate assessed value from 1995 through 2004; percentage change of real estate assessed value from 1995 through 2004; commercial/industrial real estate percent of assessed value from 1995 through 2004; ratio of jobs to the labor force; building permits from 1995 through 2004; and percentage of units paying proffers to total building permits. She stated personal property taxes maintain the current rate and reviewed the number of new and used car registrations and percentage change in personal property revenue. She further stated FY2003 local sales tax receipts were 6.3 percent over FY2002 actual receipts, and FY2004 year-to-date receipts continue this positive trend. She reviewed percentage of change in local sales tax from FY1996-FY2006 projected; local sales tax percent distribution; and use tax as a percentage of local sales and use taxes. She then reviewed FY2005 general fund sources and uses, as well as initiatives in preparing the budget. She reviewed proposed fee increases for FY2005 and FY2006, including administrative fees for collection of delinquent taxes and other charges for the Treasurer's Office; residential and commercial inspection fees in Building Inspection; and various fees in Waste and Resource Recovery.

Mr. Ramsey stated staff is hopeful that the proposed fee increase for bi-weekly refuse collection will result in the private sector offering a bi-weekly service for citizens who do not have a demand for weekly service.

Mr. Miller stated he wants to further explore the proposed fee increases in Waste and Resource Recovery.

Mr. Barber stated he feels staff should further explore the proposed gate fee increase.

Ms. Dickson continued to review proposed fee increases in Waste and Resource Recovery.

Mr. Barber inquired whether the county would be better off discontinuing the leaf vacuuming service rather than doubling the fee.

Mr. Ramsey stated staff feels leaf vacuuming is a service the county might want to back away from.

Ms. Dickson reviewed the proposed budget work session schedule. She introduced Mr. Braunstein to provide the Board with an annual review of the Community Services Board (CSB).

Mr. Braunstein began the presentation by recognizing members of the Community Services Board. He then introduced Ms. Frances Hayes-Brown, Chairperson of the CSB, to review CSB accomplishments.

Ms. Brown reviewed CSB accomplishments, including continuing to serve over 5,000 citizens while providing education for thousands more; significantly reducing deficit budgeting over the past three years, while experiencing extensive state budget cuts; receiving national accreditation and recognition for quality services; eliminating the three-month waiting list for a psychiatry appointment; and continuing to be perceived by citizens served as providing satisfactory services 90 percent of the time. She introduced Mr. Dean Lynch to provide the Board with details of challenges facing the CSB.

Mr. Lynch reviewed challenges facing the CSB, including increased rate of citizens needing services from four percent to ten percent depending on the program; waiting list of citizens with mental retardation urgently needing services has increased to 70; aging of family caregivers; and a growing number of citizens graduating from school services needing employment or day services. He then reviewed actions that can be taken with existing or accessible revenues to meet the challenges, including developing a specialized care facility for the most physically vulnerable citizens with mental retardation; additional case managers to ensure responsiveness to family and consumer needs; and additional day service staff to respond to increasingly complex needs. He reviewed two planned items that do not currently have a revenue source - increasing the number of high school graduates with special needs who can be trained and placed in employment; and providing speech and language therapy to developmentally delayed infants to increase chances of success when old enough for school services.

Mr. Barber thanked CSB members for the informative presentation.

Discussion ensued relative to the possibility of providing speech and language therapy to developmentally delayed infants through the school system and the identification of infants in need of this service.

6.B. CHESAPEAKE BAY PRESERVATION ORDINANCE

Ms. Joan Salvati, Water Quality Administrator, provided details of proposed amendments to the Chesapeake Bay Preservation Ordinance. She first reviewed the basis for the recommended amendments and the process used in developing the amendments. She then reviewed major changes, including protecting water bodies with perennial flow by Resource Protection Area (RPA) buffers; and requiring "in field" verification of streams with perennial flow.

Discussion ensued relative to the determination of water bodies with perennial flow and ways to provide information to potential buyers of property regarding perennial flowing bodies on the property.

Mr. Miller stated he thinks the county should have a more sophisticated method of providing information regarding perennial flowing bodies on property in the county.

Ms. Salvati stated staff is in the process of preparing a map showing perennial streams. She further stated staff proposes conducting the required "in-field" determinations earlier in the approval process than plan review and has proposed language to require that the determinations be made "as part of, or prior to the zoning application process."

When asked, Ms. Salvati stated there is a grandfathering provision using an administrative procedure for excluding parcels in existing subdivisions recorded prior to the adoption of the ordinance amendments from the RPA requirements.

Discussion ensued relative to various situations and whether the grandfathering provision would apply.

When asked, Ms. Salvati stated staff does not anticipate any problems regarding the Meadowville tract. She further stated the process formerly used for determining perenniality was the United States Geological Service maps, which were not accurate in making this determination. She further stated staff has been provided with a document listing specific scientific methods for conducting perenniality determinations, and is proposing to use the "field indicator" method approved by the Chesapeake Bay Local Assistance Department (CBLAD) to determine stream perenniality. She stated staff will use a two-pronged approach: 1) on a request basis, conduct perenniality determinations; and 2) prepare a systematic county-wide mapping of streams that are perennial. She noted the mapping will be a lengthy process and will begin in watersheds in the high growth areas. She stated staff is working with Economic Development to look at sites of concern as well as school sites.

Mr. Barber stated he is not comfortable adopting ordinance amendments prior to development of the map.

Ms. Salvati stated two methods have been tested in the field for determining perenniality and staff believes the "Fairfax Method" is valid and more accurately depicts whether or not a stream must be protected according to the Chesapeake Bay Preservation Ordinance. She then called forward Mr. Scott Crafton, Director of the Chesapeake Bay Local Assistance

Department, to provide details of penalties the county might face if the ordinance amendments are not adopted.

Mr. Crafton stated local governments who have not adopted the required amendments by March 22, 2004 will be found inconsistent and given until June 2004 to adopt the amendments. He further stated localities who have not adopted the amendments by June 2004 will be turned over to the Attorney General's Office and suit will be filed to order the jurisdiction to adopt the ordinance amendments. He noted that local governments have been on notice for nearly two years that these ordinance amendments were required. He stated there have been virtually no complaints from the 84 localities that have already adopted the ordinance amendments, indicating it is very rare that a property owner is unable to develop his property as a result of these amendments.

When asked, Mr. Crafton stated the proposed amendments were stimulated by a directive from the Governor in 1988 aimed at addressing non-point source pollution runoff resulting from land development.

Discussion ensued relative to the definition of a perennial stream.

Mr. Crafton expressed concerns that it will take at least two years for the county to complete a mapping process for stream perenniality. He stated he does not believe the county needs to wait on a finished map before adopting the ordinance amendments, and reiterated the penalty to local governments for not adopting the amendments.

Mrs. Humphrey stated the county has already addressed phosphorous runoff and can validate to the Attorney General's Office that the Board went beyond other jurisdictions in addressing pollution and its impact on the Chesapeake Bay. She further stated she believes that requesting detailed maps of perennial streams is appropriate. She expressed concerns relative to the impact of the proposed amendments on the Route 288 Corridor and the Meadowville tract. She expressed further concerns relative to staff making perenniality determinations rather than having a definitive definition of a perennial stream and how it will be interpreted in the site plan process. She stated she would like to have perennial streams identified in the staff report provided to the Planning Commission.

Ms. Salvati stated the ordinance amendments already include a definition of a perennial stream. She further stated the protocols for determining perenniality have been finalized by the state, tested and evaluated in other localities.

Mrs. Humphrey again stated she wants to see information relative to stream perenniality in staff's analysis of zoning cases.

Mrs. Salvati stated the ordinance amendments would protect streams not only in the Upper Swift Creek, but countywide. She further stated the amendments would be an enhancement to the Regional BMP Plan adopted by the Board.

When asked, Ms. Salvati stated the ordinance amendments represent what has specifically been required by the state regarding perennality determinations. She further stated staff has added a provision to prohibit all terrain vehicles in Resource Protection Areas that was not required by the state.

Mr. Barber suggested that the Board set a public hearing date in May 2004 to meet the June deadline referred to by Mr. Crafton. He noted Ms. Salvati has indicated that mapping of the Meadowville tract and the Route 288 Corridor would be available prior to that time.

Mr. Barber then made a motion, seconded by Mrs. Humphrey, for the Board to set the date of May 26, 2004 at 7:00 p.m. to consider amendments to the Chesapeake Bay Preservation Ordinance.

Mr. Micas noted that Mr. Crafton indicated the deadline for adopting the ordinance amendments is March 22, 2004 and enforcement action will be taken in June. He stated if the Board sets a public hearing after the March date, the county may be found not in conformance with state law.

Mr. Barber stated he does not believe CBLAD will take enforcement action if it sees the county is moving towards a conclusion.

Mr. Miller expressed concerns that the Board has had such a limited time to deal with a very substantial issue and stated he will support a public hearing date in May.

Mr. Miller then called for a vote on the motion of Mr. Barber, seconded by Mrs. Humphrey, for the Board to set the date of May 26, 2004 at 7:00 p.m. to consider amendments to the Chesapeake Bay Preservation Ordinance.

Ayes: Miller, Barber, Humphrey, King and Warren.
Nays: None.

7. DEFERRED ITEMS

There were no deferred items at this time.

8. NEW BUSINESS

8.A. APPOINTMENTS

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board suspended its rules at this time to allow for simultaneous nomination/appointment/reappointment of members to serve on the Parks and Recreation Advisory Commission and the Airport Advisory Board.

Ayes: Miller, Barber, Humphrey, King and Warren.
Nays: None.

8.A.1. PARKS AND RECREATION ADVISORY COMMISSION

On motion of Mr. Barber, seconded by Mrs. Humphrey, the Board simultaneously nominated/appointed Mr. Hadi YazdanPanah, representing the Midlothian District, to serve on the Parks and Recreation Advisory Commission, whose term is effective immediately and expires December 31, 2007.

Ayes: Miller, Barber, Humphrey, King and Warren.
Nays: None.

8.A.2. AIRPORT ADVISORY BOARD

On motion of Mrs. Humphrey, seconded by Mr. King, the Board simultaneously nominated/reappointed the following members to serve on the Airport Advisory Board, whose terms are effective February 15, 2004 and expire February 14, 2008:

<u>Name</u>	<u>District</u>
Dr. James F. McClellan	Matoaca
Mr. Richard "Rick" L. Young, III	Bermuda
Mr. John Thayer	Clover Hill

Ayes: Miller, Barber, Humphrey, King and Warren.
Nays: None.

Mr. Miller excused himself from the meeting.

8.B. CONSENT ITEMS

8.B.1. APPROPRIATION OF JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT FUNDS FROM THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES

On motion of Mr. King, seconded by Mrs. Humphrey, the Board authorized Human Services Administration to receive \$46,919 in Juvenile Accountability Block Grant (JABG) funds from the Department of Criminal Justice Services and authorized an increase in appropriation by \$46,919. (It is noted the local match of \$5,213 has been identified from Virginia Juvenile Community Crime Control Act (VJCCCA) funds.)

Ayes: Barber, Humphrey, King and Warren.
Nays: None.
Absent: Miller.

8.B.2. STATE ROAD ACCEPTANCE

On motion of Mr. King, seconded by Mrs. Humphrey, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision

Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to § 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **Addition, New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Wellington Farms, Section D**

● **Burkwood Court, State Route Number: 5681**

From: Wellington Farms Dr., (Rt. 5352)

To: Cul-de-sac, a distance of: 0.03 miles.

Right-of-way record was filed on 10/5/1999 with the Office Of Clerk To Circuit Court in Pb.107; Pg. 44,
with a width of 50 Ft.

● **Webb Tree Terrace, State Route Number: 5680**

From: Gravel Neck Dr., (Rt. 5351)

To: Cul-de-sac, a distance of: 0.08 miles.

Right-of-way record was filed on 10/5/1999 with the Office Of Clerk To Circuit Court in Pb.107; Pg. 44,
with a width of 50 Ft.

● **Wellington Farms Drive, State Route Number: 5352**

From: Gravel Neck Dr., (Rt. 5351)

To: Burkwood Ct., (Rt. 5681), a distance of: 0.10 miles.

Right-of-way record was filed on 10/5/1999 with the Office Of Clerk To Circuit Court in Pb.107; Pg. 44,
with a width of 50 Ft.

● **Wellington Farms Drive, State Route Number: 5352**

From: Burkwood Ct., (Rt. 5681)

To: Wellington Farms Pl., (Rt. 5682), a distance of: 0.18 miles.

Right-of-way record was filed on 10/5/1999 with the Office Of Clerk To Circuit Court in Pb.107; Pg. 44,
with a width of 50 Ft.

● **Wellington Farms Drive, State Route Number: 5352**

From: Wellington Farms Pl., (Rt. 5682)

To: 0.04 Mi. N of Wellington Farms Pl., (Rt. 5682), a distance of: 0.04 miles.

Right-of-way record was filed on 10/5/1999 with the Office Of Clerk To Circuit Court in Pb.107; Pg. 44,
with a width of 50 Ft.

● **Wellington Farms Place, State Route Number: 5682**

From: Wellington Farms Dr., (Rt. 5352)
To: Cul-de-sac, a distance of: 0.08 miles.

Right-of-way record was filed on 10/5/1999 with the Office Of Clerk To Circuit Court in Pb.107; Pg. 44,
with a width of 50 Ft.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to § 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: Addition

Basis for Change: **Addition, New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Windy Creek, Sec. A, a portion of**

● **Dortonway Drive, State Route Number: 2767**

From: Belmont Rd., (Rt. 651)
To: 0.10 Mi. W of Belmont Rd., (Rt. 651), a distance of: 0.10 miles.

Right-of-way record was filed on 12/3/2003 with the Office Of Clerk To Circuit Court in Db.5506; Pg. 704,
with a width of Variable

● **Dortonway Drive, State Route Number: 2767**

From: 0.10 Mi. W of Belmont Rd., (Rt. 651)
To: Madras Ct., (Rt. 5094), a distance of: 0.58 miles.

Right-of-way record was filed on 12/3/2003 with the Office Of Clerk To Circuit Court in Db.5506; Pg. 704,
with a width of 70 Ft.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to § 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **Addition, New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Brandy Oaks, Section 7**

● **Pine Reach Court, State Route Number: 5678**

From: Pine Reach Dr., (Rt. 5677)

To: Cul-de-sac, a distance of: 0.10 miles.

Right-of-way record was filed on 11/8/2002 with the Office Of Clerk To Circuit Court in Pb. 130; Pg.23,
with a width of 50 Ft.

● **Pine Reach Drive, State Route Number: 5677**

From: Mountcastle Rd., (Rt. 5368)

To: Pine Reach Ct., (Rt. 5678), a distance of: 0.19 miles.

Right-of-way record was filed on 11/8/2002 with the Office Of Clerk To Circuit Court in Pb. 130; Pg.23,
with a width of 50 Ft.

● **Pine Reach Drive, State Route Number: 5677**

From: Pine Reach Ct., (Rt. 5678)

To: Cul-de-sac, a distance of: 0.19 miles.

Right-of-way record was filed on 11/8/2002 with the Office Of Clerk To Circuit Court in Pb. 130; Pg.23,
with a width of 50 Ft.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to § 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: Addition

Basis for Change: **Addition, New subdivision street**

Statutory Reference: **§33.1-229**

Project: **River Ridge, Section E**

● **Southern Points Drive, State Route Number: 4353**

From: 0.08 Mi. W of Southern Points Ct., (Rt. 4354)

To: Southern Ridge Dr., (Rt. 5683), a distance of: 0.06 miles.

Right-of-way record was filed on 5/31/1995 with the Office Of Clerk To Circuit Court in Pb.88; Pg. 8, with a width of 50 Ft.

● **Southern Points Drive, State Route Number: 4353**

From: Southern Ridge Dr., (Rt. 5683)

To: Cul-de-sac, a distance of: 0.10 miles.

Right-of-way record was filed on 5/31/1995 with the Office Of Clerk To Circuit Court in Pb.88; Pg. 8, with a width of 50 Ft.

● **Southern Ridge Drive, State Route Number: 5683**

From: Southern Points Dr., (Rt. 4353)

To: Cul-de-sac, a distance of: 0.15 miles.

Right-of-way record was filed on 5/31/1995 with the Office Of Clerk To Circuit Court in Pb.88; Pg. 8, with a width of 50 Ft.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision

Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to § 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways: **Addition**

Basis for Change: **Addition, New subdivision street**

Statutory Reference: **§33.1-229**

Project: **Huguenot Ridge**

● **Dragonnade Trail, State Route Number: 5620**

From: Huguenot Springs Rd., (Rt. 607)

To: Regiment Tr., (Rt. 5621), a distance of: 0.08 miles.

Right-of-way record was filed on 7/2/1996 with the Office Of Clerk To Circuit Court in Pb.91; Pg.24, with a width of 50 Ft.

● **Dragonnade Trail, State Route Number: 5620**

From: Regiment Tr., (Rt. 5621)

To: Cul-de-sac, a distance of: 0.16 miles.

Right-of-way record was filed on 7/2/1996 with the Office Of Clerk To Circuit Court in Pb.91; Pg.24, with a width of 50 Ft.

● **Regiment Terrace, State Route Number: 5621**

From: Dragoonade Tr., (Rt. 5620)

To: Cul-de-sac, a distance of: 0.17 miles.

Right-of-way record was filed on 7/2/1996 with the Office Of Clerk To Circuit Court in Pb.91; Pg.24, with a width of 43 Ft.

Ayes: Barber, Humphrey, King and Warren.

Nays: None.

Absent: Miller.

8.B.3. ADOPTION OF RESOLUTIONS

8.B.3.a. RECOGNIZING MARCH 2004, AS "PURCHASING MONTH"

On motion of Mr. King, seconded by Mrs. Humphrey, the Board adopted the following resolution:

WHEREAS, the purchasing and materials management profession has a significant role in the quality, efficiency and profitability of business and government throughout the United States; and

WHEREAS, the purchasing and materials management profession works for private and public, and profit and nonprofit organizations; and

WHEREAS, in addition to the purchase of goods and services, the purchasing and materials management profession engages in or has direct responsibility for functions such as executing, implementing and administering contracts; developing forecast and procurement strategies; supervising and/or monitoring the flow and storage of materials; and developing working relations with suppliers and with other departments within the organization; and

WHEREAS, the purchasing and materials management profession has tremendous influence on the economic conditions in the United States, with an accumulative purchasing power running into the billions of dollars; and

WHEREAS, purchasing or procurement operations range from departments of one person to several thousand; and

WHEREAS, governmental purchasing and other associations around the world are sponsoring activities and special events to further educate and inform the general public on the role of purchasing within business, industry and government.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors hereby recognizes the month of March 2004, as "Purchasing Month" in Chesterfield County and encourages all citizens to join in commemorating this observance.

Ayes: Barber, Humphrey, King and Warren.
Nays: None.
Absent: Miller.

8.B.3.b. RECOGNIZING MR. CHRISTOPHER WILLIAM LAWRENCE AND MR. ERIK KRISTEN LOKEN UPON ATTAINING RANK OF EAGLE SCOUT

On motion of Mr. King, seconded by Mrs. Humphrey, the Board adopted the following resolution:

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to his community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law; and

WHEREAS, Mr. Christopher William Lawrence, Troop 800, sponsored by Bethel Baptist Church, has accomplished those high standards of commitment and has reached the long-sought

goal of Eagle Scout, which is earned by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through his experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare himself for a role as a leader in society, Chris has distinguished himself as a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 11th day of February 2004, recognizes Mr. Christopher William Lawrence, extends congratulations on his attainment of Eagle Scout, and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

And, further, the Board adopted the following resolution:

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to his community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law; and

WHEREAS, Mr. Erik Kristen Loken, Troop 800, sponsored by Bethel Baptist Church, has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout, which is earned by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through his experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare himself for a role as a leader in society, Erik has distinguished himself as a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 11th day of February 2004, recognizes Mr. Erik Kristen Loken, extends congratulations on his attainment of Eagle Scout, and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

Ayes: Barber, Humphrey, King and Warren.

Nays: None.

Absent: Miller.

**8.B.3.c. APPROVING THE SELECTION OF THE TREASURER OF
CHESTERFIELD COUNTY AS THE FISCAL AGENT OF
APPOMATTOX REGIONAL GOVERNOR'S SCHOOL**

On motion of Mr. King, seconded by Mrs. Humphrey, the Board adopted the following resolution:

WHEREAS, at its 2003 session, the General Assembly amended Section 22.1-118 of the Code of Virginia to permit school boards operating an academic year Governor's School, with approval of the respective governing bodies of their localities, to select a fiscal agent from among the treasurers of the participating localities; and

WHEREAS, the school boards of Amelia County, Charles City County, Chesterfield County, City of Colonial Heights, Dinwiddie County, City of Franklin, City of Hopewell, Powhatan County, City of Petersburg, Prince George County, City of Richmond, Southampton County, Surry County, and Sussex County (hereafter the "Participating School Boards") operate the Appomattox Regional Governor's School, which is an academic year Governor's School; and

WHEREAS, the participating school boards and respective local governing bodies wish to select the Treasurer of Chesterfield County to be the fiscal agent of the Appomattox Regional Governor's School, effective July 1, 2004.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Chesterfield County hereby approves of the selection of the Treasurer of Chesterfield County as the fiscal agent of Appomattox Regional Governor's School, effective July 1, 2004.

Ayes: Barber, Humphrey, King and Warren.

Nays: None.

Absent: Miller.

8.B.4. REQUESTS TO QUITCLAIM

**8.B.4.a. TWO SIXTEEN-FOOT SEWER EASEMENTS AND A TEN-FOOT
TEMPORARY CONSTRUCTION EASEMENT ACROSS THE PROPERTY
OF VIRGINIA PAINT DISTRIBUTION CORPORATION**

On motion of Mr. King, seconded by Mrs. Humphrey, the Board authorized the Chairman of the Board of Supervisors and the County Administrator to execute a quitclaim deed to vacate two 16-foot sewer easements and a ten-foot temporary construction easement across the property of Virginia Paint Distribution Corporation. (It is noted copies of the plats are filed with the papers of this Board.)

Ayes: Barber, Humphrey, King and Warren.

Nays: None.

Absent: Miller.

**8.B.4.b. A PORTION OF A SIXTEEN-FOOT WATER EASEMENT ACROSS
THE PROPERTY OF AUTOMATIC INVESTMENTS, L.L.C.**

On motion of Mr. King, seconded by Mrs. Humphrey, the Board authorized the Chairman of the Board of Supervisors and the

County Administrator to execute a quitclaim deed to vacate a portion of a 16-foot water easement across the property of Automatic Investments, L.L.C. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Barber, Humphrey, King and Warren.

Nays: None.

Absent: Miller.

8.B.5. APPROVAL A CHANGE ORDER FOR TRANSDYN CONTROLS, INCORPORATED FOR THE DESIGN AND INSTALLATION OF A SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM FOR THE ADDISON-EVANS WATER TREATMENT FACILITY

On motion of Mr. King, seconded by Mrs. Humphrey, the Board approved a change order, in the amount of \$80,185, to the contract with Transdyn Controls, Incorporated for the design and installation of a Supervisory Control and Data Acquisition (SCADA) System for the Addition-Evans Water Treatment Facility.

Ayes: Barber, Humphrey, King and Warren.

Nays: None.

Absent: Miller.

8.B.6. DESIGNATION OF RIGHT OF WAY FOR COURTHOUSE ROAD

On motion of Mr. King, seconded by Mrs. Humphrey, the Board designated right of way for Courthouse Road, and authorized the County Administrator to execute the Declaration. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Barber, Humphrey, King and Warren.

Nays: None.

Absent: Miller.

8.B.7. ACCEPTANCE OF A PARCEL OF LAND ALONG THE WEST RIGHT OF WAY LINE OF OTTERDALE ROAD FROM DONALD M. TYLER

On motion of Mr. King, seconded by Mrs. Humphrey, the Board accepted the conveyance of a parcel of land containing 0.102 acres along the west right of way line of Otterdale Road (State Route 667) from Donald M. Tyler, and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Barber, Humphrey, King and Warren.

Nays: None.

Absent: Miller.

8.B.8. SET DATES FOR PUBLIC HEARINGS

8.B.8.a. TO CONSIDER AN AMENDMENT TO THE WATER AND SEWERS ORDINANCE RELATIVE TO CONNECTION FEES WHERE PROJECTS ARE FUNDED BY THE FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

On motion of Mr. King, seconded by Mrs. Humphrey, the Board set the date of March 10, 2004 at 7:00 p.m. for a public hearing for the Board to consider an amendment to the Water

and Sewers Ordinance relative to connection fees where projects are funded by the Federal Community Development Block Grant Program.

Ayes: Barber, Humphrey, King and Warren.
Nays: None.
Absent: Miller.

8.B.8.b. TO CONSIDER AN ORDINANCE ESTABLISHING AN AUXILIARY POLICE FORCE

On motion of Mr. King, seconded by Mrs. Humphrey, the Board set the date of March 10, 2004 at 7:00 p.m. for a public hearing for the Board to consider an ordinance establishing an Auxiliary Police Force.

Ayes: Barber, Humphrey, King and Warren.
Nays: None.
Absent: Miller.

8.B.8.c. TO CONSIDER ACCEPTANCE OF GRANTS AND APPROPRIATION OF FUNDS FOR RAYON PARK WASTEWATER IMPROVEMENTS PROJECT

On motion of Mr. King, seconded by Mrs. Humphrey, the Board set the date of March 10, 2004 at 7:00 p.m. for a public hearing for the Board to consider acceptance and appropriation of grant funds and donated funds for Rayon Park Wastewater Improvements.

Ayes: Barber, Humphrey, King and Warren.
Nays: None.
Absent: Miller.

8.B.8.d. TO CONSIDER AN ORDINANCE AMENDMENT TO SECTION 15-218 OF THE COUNTY CODE RELATING TO PUBLIC LIABILITY INSURANCE REQUIREMENTS FOR TAXICABS

On motion of Mr. King, seconded by Mrs. Humphrey, the Board set the date of March 10, 2004 at 7:00 p.m. for a public hearing for the Board to consider an ordinance amendment relating to public liability insurance requirements for taxicabs.

Ayes: Barber, Humphrey, King and Warren.
Nays: None.
Absent: Miller.

8.B.8.e. TO CONSIDER THE EFFECTS OF METHYL TERTIARY BUTYL ETHER (MtBE) ON THE COUNTY'S PUBLIC WATER SUPPLY

On motion of Mr. King, seconded by Mrs. Humphrey, the Board set the date of February 25, 2004 at 7:00 p.m. for the Board to consider the effects of methyl tertiary butyl ether (MtBE) on the county's public water supply.

Ayes: Barber, Humphrey, King and Warren.
Nays: None.
Absent: Miller.

9. HEARINGS OF CITIZENS ON UNSCHEDULED MATTERS OR CLAIMS

There were no hearings of citizens on unscheduled matters or claims at this time.

10. REPORTS

10.A. REPORT ON DEVELOPER WATER AND SEWER CONTRACTS

10.B. REPORT ON THE STATUS OF GENERAL FUND BALANCE, RESERVE FOR FUTURE CAPITAL PROJECTS, DISTRICT IMPROVEMENT FUNDS AND LEASE PURCHASES

10.C. REPORT OF PLANNING COMMISSION SUBSTANTIAL ACCORD DETERMINATION ON VIRGINIA STATE UNIVERSITY: APPOMATTOX RIVERSIDE TRAIL (CASE 04PD0217)

On motion of Mrs. Humphrey, seconded by Mr. King, the Board accepted the following reports: a Report on Developer Water and Sewer Contracts; a Report on the Status of General Fund Balance, Reserve for Future Capital Projects, District Improvement Funds and Lease Purchases; and a Report of the Planning Commission's Substantial Accord Determination on Virginia State University: Appomattox Riverside Trail (Case 04PD0217).

Ayes: Barber, Humphrey, King and Warren.

Nays: None.

Absent: Miller.

11. DINNER

On motion of Mr. King, seconded by Mrs. Humphrey, the Board recessed to the Administration Building, Room 502, for dinner with members of the Chesterfield Community Services Board.

Ayes: Barber, Humphrey, King and Warren.

Nays: None.

Absent: Miller.

Reconvening:

Mr. Miller returned to the meeting.

12. INVOCATION

Reverend Martha Jenkins, Vicar of Saint Matthew's Episcopal Church, gave the invocation.

13. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

Eagle Scout Zachary Robert Napier led the Pledge of Allegiance to the flag of the United States of America.

14. RESOLUTIONS AND SPECIAL RECOGNITIONS

14.A. RECOGNIZING FEBRUARY 2004, AS "NATIONAL CHILDREN'S DENTAL HEALTH MONTH" IN CHESTERFIELD COUNTY

Mr. Kappel introduced Dr. Samuel Galstan and JoAnne Wells, R.D.H. who were present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, the 9th Annual Dental Health Extravaganza will be conducted at the Southpark Mall in Colonial Heights, Virginia on February 28, 2004; and

WHEREAS, through the joint efforts of the Virginia Department of Health, Division of Dentistry; the Southside Dental Society; the Alliance of the Southside Dental Society; the Medical College of Virginia School of Dentistry; local dentists who volunteer their time; and the school districts of Chesterfield, Colonial Heights, Dinwiddie, Hopewell, Petersburg, Prince George and Sussex, this program was established to foster the improvement of children's dental health; and

WHEREAS, the Extravaganza includes presentations of awards to local students who participated in the essay contest entitled, "Don't Let Your Smile Become Extinct"; and

WHEREAS, at the event, families are provided with educational materials that stress the importance of regular dental examinations; daily brushing and flossing; proper nutrition; sealants and the use of mouth guards to protect teeth during athletic activities; and

WHEREAS, several local dental offices will volunteer their services on "Give Kids a Smile! Day"; and

WHEREAS, the Medical College of Virginia will provide free dental screenings; and

WHEREAS, various displays will be both entertaining and educational for families in attendance.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 11th day of February 2004, publicly recognizes February 6, 2004 as "Give Kids a Smile! Day" and February 2004, as "National Children's Dental Health Month" in Chesterfield County, and expresses gratitude, on behalf of all Chesterfield County residents, and commends those organizations responsible for their proactive approach to dental health and also commends Dr. Samuel Galstan, Dr. C. Sharone Ward, Dr. Fran Farrington and JoAnne Wells, R.D.H., for helping to protect our children's dental health.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mrs. Humphrey presented executed resolutions to Dr. Galstan and Ms. Wells and expressed appreciation for their efforts in promoting children's dental health.

Dr. Galstan expressed appreciation to the Board for its support.

14.B. RECOGNIZING MIDLOTHIAN/CHESTERFIELD'S JUNIOR MISS SCHOLARSHIP PROGRAM

14.B.1. MS. SADÉ SIMMONS, MATOACA DISTRICT

Mr. Kappel introduced Ms. Sadé Simmons who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, the Junior Miss Scholarship Program provides college scholarships to outstanding young women; and

WHEREAS, while in high school, these young women must have excelled in academics; been active in extracurricular activities that serve the community; must have endeavored to be physically fit; and must have developed a performing talent; and

WHEREAS, Midlothian/Chesterfield's Junior Miss Scholarship Program was held in October 2003, with contestants representing the five area high schools in northern Chesterfield County; and

WHEREAS, Ms. Sadé Simmons of the Appomattox Regional Governor's School for the Performing Arts and Technology has been named Chesterfield's Junior Miss; and

WHEREAS, Ms. Simmons won a \$1,000 scholarship; along with a \$300 scholarship for being selected as the "Spirit of Junior Miss" winner; a \$200 scholarship as Talent winner and a \$100 scholarship as Fitness Runner Up; and

WHEREAS, Ms. Simmons has been named to the National Honor Roll and also served as Secretary to the National Honor Society; has been on the Distinguished Honor Roll; and was named to "Who's Who Among American High School Students"; and

WHEREAS, Ms. Simmons also has been involved in school activities as Secretary of the International Thesbian Society; Secretary of the Comedy Club; and as a member of the Writer's Club; the Tapper's Club and the Yearbook staff; and

WHEREAS, Ms. Simmons has served as Dance Captain and Choreographer of the Show Choir; has been a member of the All District Chorus; and has performed in various school musicals; and

WHEREAS, Ms. Simmons has performed community service with "Children Dancing for Children"; with Liturgical Dance for Church Celebrations; and has been a School Tour Guide and performed in dances for nursing homes and holiday parades; and

WHEREAS, Ms. Simmons intends to pursue the goal of becoming a professional dancer; and

WHEREAS, Ms. Simmons is an outstanding representative of Chesterfield County youth.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 11th day of February 2004, publicly recognizes the exemplary achievements of Ms. Sadé Simmons, wishes her continued success in her academic pursuits, and is proud to have her represent Chesterfield County public schools as she continues with her higher education.

AND, BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Ms. Simmons and that this resolution be permanently recorded among the papers of this Board of Supervisors of Chesterfield County, Virginia.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mrs. Humphrey presented the executed resolution to Ms. Simmons, accompanied by members of her family, congratulated her on her accomplishments, and wished her continued success.

Ms. Simmons expressed appreciation to the Board for the recognition.

14.B.2. MS. KIM WRAY, MIDLOTHIAN DISTRICT

Mr. Kappel introduced Ms. Kim Wray who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, the Junior Miss Scholarship Program provides college scholarships to outstanding young women; and

WHEREAS, while in high school, these young women must have excelled in academics; been active in extracurricular activities that serve the community; must have endeavored to be physically fit; and must have developed a performing talent; and

WHEREAS, Midlothian/Chesterfield's Junior Miss Scholarship Program was held in October 2003, with contestants representing the five area high schools in northern Chesterfield County; and

WHEREAS, Ms. Kim Wray of Midlothian High School has been named Midlothian's Junior Miss; and

WHEREAS, Ms. Wray won a \$1,000 scholarship, along with a \$300 scholarship for being selected as winner of the "Be Your Best Self" project; and

WHEREAS, Ms. Wray has been active in the National Honor Society; the Principal's Leadership Council; has been a Hugh O'Brian Youth Leadership member; has been an Outstanding Chorus Student; and "Most Valuable Rapid" in English and Math; and

WHEREAS, Ms. Wray also has been involved in school activities as Beta Club president; junior class vice president; sophomore class vice president; freshman class president and as a member of the Latin club; and

WHEREAS, Ms. Wray is a member of the "Current Edition" show choir and has been active as a member of varsity indoor track; soccer and field hockey; and

WHEREAS, Ms. Wray has been a volunteer for the Morningside Retirement Home; Buford Road Presbyterian Church Preschool; Habitat for Humanity; the Christmas Mother program; Sheltering Arms Hospital; the Holocaust Museum and "Relay for Life"; and

WHEREAS, Ms. Wray intends to pursue the goal of becoming a teacher; and

WHEREAS, Ms. Wray is an outstanding representative of Chesterfield County youth.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 11th day of February 2004, publicly recognizes the exemplary achievements of Ms. Kim Wray, wishes her continued success in her academic pursuits, and is proud to have her represent Chesterfield County public schools as she continues with her higher education.

AND, BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Ms. Wray and that this resolution be permanently recorded among the papers of this Board of Supervisors of Chesterfield County, Virginia.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mr. Barber presented the executed resolution to Ms. Wray, accompanied by her father, congratulated her on her accomplishments, and wished her continued success.

Ms. Wray expressed appreciation for the recognition.

14.C. RECOGNIZING BOY SCOUTS UPON ATTAINING THE RANK OF EAGLE SCOUT

14.C.1. MR. DANIEL LUIS CHEATHAM, BERMUDA DISTRICT

Mr. Hammer introduced Mr. Daniel Cheatham who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to his community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law; and

WHEREAS, Mr. Daniel Luis Cheatham, Troop 880, sponsored by Beulah United Methodist Church, has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout, which is earned by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through his experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare himself for a role as a leader in society, Daniel has distinguished himself as a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 11th day of February 2004, recognizes Mr. Daniel Luis Cheatham, extends congratulations on his attainment of Eagle Scout, and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mr. King presented the executed resolution and patch to Mr. Cheatham, accompanied by members of his family, congratulated him on his outstanding achievement, and wished him well in his future endeavors.

Mr. Cheatham expressed appreciation to his church, God, his parents, scoutmaster and others for their support.

14.C.2. MR. CHRISTOPHER MICHAEL EUGENE, DALE DISTRICT

Mr. Hammer introduced Mr. Christopher Eugene who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to his community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law; and

WHEREAS, Mr. Christopher Michael Eugene, Troop 886, sponsored by Trinity United Methodist Church, has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout, which is earned by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through his experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare himself for a role as a leader in society, Christopher has distinguished himself as a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 11th day of February 2004, recognizes Mr. Christopher Michael Eugene, extends congratulations on his attainment of Eagle Scout, and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mr. Miller presented the executed resolution and patch to Mr. Eugene, accompanied by members of his family, congratulated him on his outstanding achievement, and wished him well in his future endeavors.

Mr. Eugene expressed appreciation to his parents, God, Mr. Pitaro and others for their support.

14.C.3. MR. DAVID MICHAEL BRENNER, MIDLOTHIAN DISTRICT

Mr. Hammer introduced Mr. David Brenner who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to his community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law; and

WHEREAS, Mr. David Michael Brenner, Troop 800, sponsored by Bethel Baptist Church, has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout, which is earned by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through his experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare himself for a role as a leader in society, David has distinguished himself as a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 11th day of February 2004, recognizes Mr. David Michael Brenner, extends congratulations on his attainment of Eagle Scout, and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mr. Barber presented the executed resolution and patch to Mr. Brenner, accompanied by members of his family, congratulated him on his outstanding achievement, and wished him well in his future endeavors.

Mr. Brenner expressed appreciation to the Board for the recognition and also to God, his family and scoutmaster for their support.

14.C.4. MR. ZACHARY ROBERT NAPIER, MIDLOTHIAN DISTRICT

Mr. Hammer introduced Mr. Zachary Napier who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to his community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law; and

WHEREAS, Mr. Zachary Robert Napier, Troop 888, sponsored by Saint Augustine's Catholic Church, has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout, which is earned by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through his experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare himself for a role as a leader in society, Zack has distinguished himself as a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 11th day of February 2004, publicly recognizes Mr. Zachary Robert Napier, extends congratulations on his attainment of Eagle Scout, and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mr. Barber presented the executed resolution and patch to Mr. Napier, accompanied by members of his family, congratulated him on his outstanding achievement, and wished him well in his future endeavors.

Mr. Napier expressed appreciation to the Board for the recognition and also to members of his troop and his parents for their support.

14.C.5. MR. ALEX LEE ODOM, MIDLOTHIAN DISTRICT

Mr. Hammer introduced Mr. Alex Odom who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to his community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law; and

WHEREAS, Mr. Alex Lee Odom, Troop 897, sponsored by Mount Pisgah United Methodist Church, has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout, which is earned by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through his experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare himself for a role as a leader in society, Alex has distinguished himself as a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 11th day of February 2004, publicly recognizes Mr. Alex Lee Odom, extends congratulations on his attainment of Eagle Scout, and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mr. Barber presented the executed resolution and patch to Mr. Odom, accompanied by members of his family, congratulated him on his outstanding achievement, and wished him well in his future endeavors.

Mr. Odom expressed appreciation to his parents, teacher and members of his troop for their support.

14.D. RECOGNIZING MR. BRUCE E. MOSELEY OF THE MOSELEY FAMILY LIMITED PARTNERSHIP AS THE RECIPIENT OF THE 2003 BAY FRIENDLY CLEAN WATER FARM AWARD FOR CHESTERFIELD COUNTY

Mr. Hammer introduced Mr. Bruce Moseley who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, the James River Soil and Water Conservation District serves this community through programs and activities that enhance water quality; and

WHEREAS, the James River Soil and Water Conservation District in cooperation with the Virginia Department of Conservation and Recreation, selects and recognizes farmers who demonstrate outstanding management practices that conserve our precious natural resources; and

WHEREAS, the Moseley Family Limited Partnership has been a continuous farming operation since 1818; and

WHEREAS, Mr. Bruce E. Moseley has demonstrated a commitment to the conservation of natural resources on his farm through updating a conservation plan; managing pasture land to minimize erosion; installing riparian forest buffers along fields that border streams; limiting access to streams by fencing cattle out; and installing alternate watering systems fed by a pond.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 11th day of February 2004, publicly recognizes Mr. Bruce E. Moseley as the 2003 recipient of the Bay Friendly Clean Water Farm Award for Chesterfield County and commends his commitment to protecting and enhancing waters that flow beyond farm boundaries and for the conservation ethic he demonstrates through his farm management practices.

AND, BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Mr. Moseley and that this resolution be permanently recorded among the papers of this Board of Supervisors of Chesterfield County, Virginia.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mrs. Humphrey presented the executed resolution for Mr. Moseley, accompanied by Mr. Likins and Ms. Mindy Ruby, Conservation Specialist, expressed appreciation for his commitment to protecting the county's water supply, and congratulated him on being the 2003 recipient of the Bay Friendly Clean Water Farm Award.

Mr. Moseley expressed appreciation to the Board for the recognition and also to Mr. Likins and Ms. Ruby for their support.

15. PUBLIC HEARINGS

15.A. TO CONSIDER AN ORDINANCE ESTABLISHING CONNECTION AND USER FEES FOR COLLEGE AND UNIVERSITY DORMITORIES

Mr. Micas stated this date and time has been advertised for a public hearing for the Board to consider an ordinance establishing connection and user fees for college and university dormitories.

Discussion ensued relative to recouping the full connection fee if the use were to change from a dormitory to a private use.

Mr. Ramsey stated there is a condition in the zoning for the dormitory that if the property is ever converted for public use, a new rezoning request would be required. He further

stated this might provide an opportunity to address a connection fee increase.

Mr. Barber stated he does not believe there were any cash proffers provided with the original zoning, but they could be collected if rezoning was requested. He further stated this might be a way to circumvent reduced connection fees for private use.

Mrs. Humphrey stated the proposed fee schedule for the off-site dormitory is consistent with the on-campus fee schedule. She further stated there is a provision in the zoning that if the university were to decide it no longer needed the facility for a dormitory, a new rezoning request would be required and cash proffers would apply.

Mr. Ed Mazur, Vice President for Administration and Finance at Virginia State University (VSU), stated he supports the proposed ordinance. He then introduced Mr. Larry Saunders, Chairman of the Board of Trustees of the VSU Real Estate Foundation.

Mr. Saunders stated the project is being built for the sole purpose of a dormitory and was never intended for multi-family use.

Mr. Miller called for public comment.

No one came forward to speak to the ordinance.

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board adopted the following ordinance:

AN ORDINANCE TO AMEND THE CODE OF THE
COUNTY OF CHESTERFIELD, 1997, AS AMENDED BY
AMENDING AND RE-ENACTING SECTIONS 18-22
AND 18-27 RELATING TO WATER AND SEWER FEES

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That Sections 18-22 and 18-27 of the Code of the County of Chesterfield, 1997, as amended, is amended and re-enacted to read as follows:

Sec. 18-22. Connection fees.

(a) The water connection fee shall be the capital cost recovery charge plus the meter installation charge based on the size of the water meter that the director installs. The wastewater connection fee shall be the capital cost recovery charge for the size of the water meter that serves the property, or, if the property does not receive water service, the size of the water meter that would serve the property if it received water service.

o o o

(b) The capital cost recovery charge shall be:

Capital Cost Recovery Charge				
Customer Class	Meter Size (inches)	Number of ERU's per Unit	Water	Wastewater
(i) For a dwelling,	5/8	1.00	\$ 3,592.00	\$ 1,465.00

single-family,
including townhouses,
mobile homes that are
not located in a
mobile home park, and
individually metered
multi-family dwelling
units.

(ii)	For a dwelling, two-family (per unit)	5/8	1.00	3,592.00	1,465.00
(iii)	For mobile homes that are located in a mobile home park and for master metered multiple-family dwellings other than multiple-family dwellings used exclusively as housing for colleges or universities (per unit)		0.85	3,053.00	1,245.00
(iv)	For all other customer classes	5/8	1.00	3,592.00	1,465.00
		1	2.50	8,980.00	3,663.00
		1-1/2	5.00	17,960.00	7,325.00
		2	8.00	28,736.00	11,720.00
		3	16.00	57,472.00	23,440.00
		4	25.00	89,800.00	36,625.00
		6	50.00	179,600.00	73,250.00
		8	80.00	287,360.00	117,200.00
		10	115.00	413,080.00	168,475.00
		12	155.00	556,760.00	227,075.00

The capital cost recovery charge for meters that are larger than 12 inches shall be determined by the director based on the number of ERU's per unit.

o o o

Sec. 18-27. Utility charges.

Effective January 1, 1999, the consumer shall pay charges for utility service in accordance with the following schedules:

(a) Monthly service charges. The monthly service charge shall be:

(1) Customer cost charge. A customer cost charge of \$0.99 for each service account. However, customers who have only a water account or a wastewater account shall pay a customer cost charge of \$1.98.

(2) Commodity cost charge.

(i) Water: \$1.24 per 100 cubic feet (Ccf).

(ii) Wastewater: \$1.31 per 100 cubic feet (Ccf).

(3) Capacity cost charge.

		Monthly Capacity Charge			
	Customer Class	Meter Size (inches)	Number of ERU's per Unit	Water	Wastewater
(i)	Dwelling, single-family, including townhouses and mobile homes that are not located in a mobile home park	5/8	1.00	\$ 1.88	\$ 6.52
(ii)	Dwelling, two-family (per unit)	5/8	1.00	1.88	6.52
(iii)	Mobile homes that are located in a mobile home park and multiple-family dwellings other than multiple-family dwellings used exclusively as housing for colleges or universities (per unit)		0.85	1.60	5.54
(iv)	All other customer classes	5/8 and 3/4	1.00	1.88	6.52
		1	2.50	4.70	16.30
		1-1/2	5.00	9.40	32.60
		2	8.00	15.04	52.16
		3	16.00	30.08	104.32
		4	25.00	47.00	163.00
		6	50.00	94.00	326.00
		8	80.00	150.40	521.60
		10	115.00	216.20	749.80
		12	155.00	291.40	1,010.60
(v)	The capacity cost charge for a dwelling that is served by a meter that is larger than five-eighths inch shall be the capacity cost charge in subsection (a)(3)(iv).				

0 0 0

(2) That this ordinance shall become effective immediately upon adoption.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mr. Mazur thanked the Board for its support of VSU's dormitory project.

**15.B. TO CONSIDER THE SALE OF SURPLUS COUNTY PROPERTY ON
RIVERS BEND BOULEVARD**

Mr. Harmon stated this date and time has been advertised for a public hearing for the Board to consider the sale of surplus county property on Rivers Bend Boulevard.

In response to Mr. King's questions, Mr. Harmon stated the subject property is 2.77 acres, and the new site of the Rivers Bend Fire Station is 4.0 acres. He further stated the sale price of \$200,000 is considered the fair market value of the property. He stated the county is permitted to sell surplus property in this manner.

Mr. Miller called for public comment.

No one came forward to speak to the issue.

On motion of Mr. King, seconded by Mrs. Humphrey, the Board accepted an offer of \$200,000 from Family Time Courthouse, LLC for the purchase of a parcel of land containing 2.77 acres, more or less, on Rivers Bend Boulevard, and authorized the Chairman of the Board of Supervisors and the County Administrator to execute the deed and appropriate the funds. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

16. ADJOURNMENT

On motion of Mr. Barber, seconded by Mr. King, the Board adjourned at 7:49 p.m. until February 25, 2004 at 3:30 p.m.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Lane B. Ramsey
County Administrator

Kelly E. Miller
Chairman